

IN THE UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK

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In re	:	Chapter 11
	:	
DELPHI CORPORATION, <u>et al.</u> ,	:	Case No. 05-44481 (RDD)
	:	
Debtors.	:	(Jointly Administered)
	:	
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AFFIDAVIT OF SERVICE

I, Evan Gershbein, being duly sworn according to law, depose and say that I am employed by Kurtzman Carson Consultants, LLC, the Court appointed claims and noticing agent for the Debtors in the above-captioned cases.

On April 6, 2006, I caused to be served the documents listed below (i) upon the parties listed on Exhibit A hereto via overnight delivery, (ii) upon the parties listed on Exhibit B hereto via electronic notification, (iii) upon the parties listed on Exhibit C hereto via facsimile, and (iv) upon the parties listed on Exhibit D hereto via postage pre-paid U.S. mail:

- 1) Proposed Sixth Omnibus Hearing Agenda (Docket No. 3127) [a copy of which is attached hereto as Exhibit E]

Dated: April 11, 2006

/s/ Evan Gershbein  
Evan Gershbein

Subscribed and sworn to (or affirmed) before me on this 11th day of April, 2006, by Evan Gershbein, personally known to me or proved to me on the basis of satisfactory evidence to be the person who appeared before me.

Signature : /s/ Sarah Elizabeth Frankel

Commission Expires: 12/23/08

# **EXHIBIT A**

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Hearing Date: April 7, 2006

Hearing Time: 10:00 a.m. (Prevailing Eastern Time)

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UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
In re :  
DELPHI CORPORATION, et al., : Chapter 11  
Debtors. : Case No. 05-44481 (RDD)  
: (Jointly Administered)  
:   
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PROPOSED SIXTH OMNIBUS HEARING AGENDA

Location Of Hearing: United States Bankruptcy Court for the Southern District of New  
York, Alexander Hamilton Custom House, Room 601, 6<sup>th</sup> Floor,  
One Bowling Green, New York, New York 10004-1408



The matters set for hearing are divided into the following categories for the purposes of this Proposed Agenda:

- A. Introduction
- B. Continued Or Adjourned Matters (5 Matters)
- C. Uncontested, Agreed, Or Settled Matters (2 Matters)
- D. Contested Matters (8 Matters)
- E. Adversary Proceedings (1 Matter)

**B. Continued Or Adjourned Matters\***

1. **"Behr Industries"** – Order To Show Cause (Docket No. 774)

*Response Filed:* *Response Of Behr Industries, Inc. To Order To Show Cause (Docket No. 1119)*

*Reply Filed:* *None.*

*Related Filing:* *Order To Show Cause (Docket No. 853)*

*Status:* *This matter is being adjourned to the May 12, 2006 omnibus hearing.*

2. **"JST Mfg. Co. Ltd."** – Order To Show Cause (Docket No. 1369)

*Response Filed:* *None.*

*Reply Filed:* *None.*

*Related Filing:* *Order To Show Cause (Docket No. 1545)*

*Status:* *This matter is being adjourned to the May 12, 2006 omnibus hearing.*

3. **"Deutsche Dagan Order To Show Cause"** – Order to Show Cause (Docket No. 1815)

*Response Filed:* *None.*

*Reply Filed:* *None.*

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\* Motions at the following docket numbers that appeared on the Proposed Fifth Omnibus Hearing Agenda have been voluntarily withdrawn from the agenda and would need to be re-noticed under the Case Management Order to be reinstated on an agenda: Docket No. 2397 and 2715.

*Related Filing:* *Proposed Order To Show Cause (Docket No. 1823);  
Order To Show Cause (Docket No. 1856.)*

*Status:* *This matter is being adjourned to the May 12, 2006  
omnibus hearing.*

4. **"H. E. Services Company Lift Stay Motion"** – Motion Of H.E. Services Company, And Robert Backie, Majority Shareholder For Relief From The Automatic Stay Under Section 362 Of The Bankruptcy Code (Docket No. 2705)

*Response Filed:* *None.*

*Reply Filed:* *None.*

*Related Filing:* *None.*

*Status:* *By agreement of the parties on March 24, 2006, this  
matter is being adjourned to the May 12, 2006  
omnibus hearing.*

5. **"Cindy Palmer Lift Stay Motion"** – Motion Of Cindy Palmer Personal Representative Of The Estate Of Michael Palmer, Deceased For Relief From The Automatic Stay Under Section 362 Of The Bankruptcy Code (Docket No. 2708)

*Response Filed:* *None.*

*Reply Filed:* *None.*

*Related Filing:* *None.*

*Status:* *By agreement of the parties on March 24, 2006, this  
matter is being adjourned to the May 12, 2006  
omnibus hearing.*

**C. Uncontested, Agreed, Or Settled Matters**

6. **"Jefferies & Company, Inc."** – The Official Committee of Unsecured Creditors' Application for Order Under Section 328 and 1103 of the Bankruptcy Code and Bankruptcy Rule 2014 Approving Retention of Jefferies & Company, Inc. as Investment Bankers and Financial Advisor to the Committee (Docket No. 1948)

*Response Filed:* *None.*

*Reply Filed:* *None.*

*Related Filing:* *The Official Committee Of Unsecured Creditors' Amended Application For Order Under Sections 328 And 1103 Of Tthe Bankruptcy Code And Bankruptcy Rule 2014 Approving Retention Of Jefferies & Company, Inc. As Investment Bankers And Financial Advisor To The Committee (Docket No. 2434).*

*Status:* *A revised order will be submitted for consideration by the Court.*

7. **"Bar Date Motion"** – Motion For Order Under 11 U.S.C. Sections 107(b), 501, 502, And 1111(a) And Fed. R. Bankr. P. 1009, 2002(a)(7), 3003(c)(3), And 5005(a) Establishing Bar Dates For Filing Proofs Of Claim And Approving Form And Manner Of Notice Thereof (Docket No. 2866)

*Response Filed:* *None.*

*Reply Filed:* *None.*

*Related Filing:* *None.*

*Status:* *A revised order will be submitted for consideration by the Court.*

#### **D. Contested Matters**

8. **"Interim Compensation"** – Motion For Administrative Order Under 11 U.S.C. § 331 (I) Establishing Procedures For Interim Compensation And Reimbursement Of Expenses Of Professionals And (II) Setting A Final Hearing Thereon (Docket No. 11)

*Response Filed:* *United States Trustee's Objection To Debtors' Request For The Appointment Of A Fee Committee Contained In The Motion For Administrative Order Under 11 U.S.C. § 331 (I) Establishing Procedures For Interim Compensation And Reimbursement Of Expenses Of Professionals And (II) Setting A Final Hearing Thereon (Docket No. 1656).*

*Reply Filed:* *None.*

*Related Filing:* *Order Under 11 U.S.C. § 331 Establishing Procedures For Interim Compensation And Reimbursement Of Expenses Of Professionals (Docket No. 869); Supplemental Order Under 11 U.S.C. § 331 Establishing Procedures For Interim Compensation And Reimbursement Of Expenses Of Professionals (Docket No. 2747); Second Supplemental Order Under 11 U.S.C. § 331*

*Establishing Procedures For Interim Compensation  
And Reimbursement Of Expenses Of Professionals  
(Docket No. 2986)*

*Status: The hearing with respect to this matter will be proceeding.*

9. **"Cherokee Motion Directing Assumption/Rejection"** – Motion For Order Under 11 U.S.C. § 365(d)(2) Directing Debtor Delphi Automotive Systems, LLC To Determine Within 150 Days Whether To Assume Or Reject Its Nonresidential Real Property Lease With Cherokee North Kansas City, LLC (Docket No. 1834)

*Response Filed: Debtors' Objection To Motion For Order Under 11 U.S.C. § 365(d)(2) Directing Debtor Delphi Automotive Systems, LLC To Determine Within 150 Days Whether To Assume Or Reject Its Nonresidential Real Property Lease With Cherokee North Kansas City, LLC (Docket No. 2035).*

*Reply Filed: None.*

*Related Filing: None.*

*Status: The hearing with respect to this matter will be proceeding.*

10. **"O'Neil Lift Stay Motion"** – Motion For Relief From Automatic Stay Filed By Petitioners, Mary P. O'Neil And Liam P. O'Neil (Docket No. 2748)

*Response Filed: Debtor's Omnibus Objection To Motions Seeking Relief From Automatic Stay (Docket No. 3051)*

*Reply Filed: None.*

*Related Filing: None.*

*Status: The hearing with respect to this matter will be proceeding.*

11. **"The Offshore Group's Lift Stay Motion"** – The Offshore Group's Motion Pursuant To Bankruptcy Code §§ 362(d)(1) And 553 For Order Lifting The Automatic Stay To Permit The Offshore Group To Exercise Right Of Setoff (Docket No. 2811)

*Response Filed: Debtors' Objection To Motion By Offshore International, Inc. And Maquilas Teta Kawi, S.A. DE*

*C.V. For Relief From Automatic Stay To Permit  
Setoff Claims (Docket No. 3025).*

*Reply Filed: None.*

*Related Filing: None.*

*Status: The hearing with respect to this matter will be  
proceeding.*

12. **"Automotive Technologies Lift Stay Motion"** – Automotive Technologies International, Inc.'s Motion For Relief From Automatic Stay To Proceed With Appeals Of Patent Litigation (Docket No. 2928)

*Response Filed: Debtors' Objection To Motion Of Automotive Technologies International, Inc. For Relief From Automatic Stay To Proceed With Patent Litigation Appeals (Docket No. 3114)*

*Reply Filed: None.*

*Related Filing: None.*

*Status: The hearing with respect to this matter will be  
proceeding.*

13. **"Human Capital Hourly Attrition Programs Motion"** – Motion For Order Under 11 U.S.C. § 363(b) And Fed. R. Bankr. P. 6004 Approving Debtors' Human Capital Hourly Attrition Programs (Docket No. 2933)

*Response Filed: Response Of UAW In Support Of Debtors' Motion For Approval Of UAW Special Attrition Program (Docket No. 2958); Appaloosa Management L.P.'S Preliminary Objection To Motion For Order Under 11 U.S.C. § 363(B) And Fed. R. Bankr. P. 6004 Approving The Debtors' Human Capital Hourly Attrition Programs (Docket No. 3021); Response of General Motors Corporation In Support of Debtors' Motion For Order Approving Human Capital Hourly Attrition Programs (Docket No. 3090); Limited Objection Of The Official Committee Of Unsecured Creditors To Motion For Order Under 11 U.S.C. § 363(b) And Fed. R. Bankr. P. 6004 Approving Debtors' Human Capital Hourly Attrition Programs (Docket No. 3092); Limited Objection Of Wilmington Trust Company, As Indenture Trustee, To Motion For Order Under 11 U.S.C. § 363(b) And Fed. R. Bankr. P. 6004 Approving Debtors' Human Capital Hourly Attrition Programs (Docket No.*

*3097); Appaloosa Management L.P.'s Supplemental Objection To Motion For Order Under 11 U.S.C. § 363(b) And Fed. R. Bankr. P 6004 Approving The Debtors' Human Capital Hourly Attrition Programs (Docket No. 3098); Amended Limited Objection Of The Official Committee Of Unsecured Creditors To Motion For Order Under 11 U.S.C. § 363(b) And Fed. R. Bankr. P. 6004 Approving Debtors' Human Capital Hourly Attrition Programs (Docket No. 3108)*

*Reply Filed: None.*

*Related Filing: Stipulation And Agreed Protective Order Governing Production And Use Of Confidential And Highly Confidential Information In Connection With The Motion For Order Under 11 U.S.C. § 363(b) And Fed. R. Bankr. P. 6004 Approving Debtors' Human Capital Hourly Attrition Programs (Docket No. 3125)*

*Status: The hearing with respect to this matter will be proceeding.*

14. **"Motion To Compel Production Of GM Documents"** – Motion Of The Official Committee Of Unsecured Creditors For An Order Compelling The Production Of Documents By General Motors Corporation Pursuant To Rule 2004 Of The Federal Rules Of Bankruptcy Procedure (Docket No. 2961)

*Response Filed: Limited Response of General Motors Corporation To Motion Of The Official Committee Of Unsecured Creditors For An Order Compelling The Production Of Documents By General Motors Corporation Pursuant To Rule 2004 Of The Federal Rules Of Bankruptcy Procedure (Docket No. 3116); Joinder Of Appaloosa Management L.P. In The Motion Of The Official Committee Of Unsecured Creditors For An Order Compelling The Production Of Documents By General Motors Corporation Pursuant To Rule 2004 Of The Federal Rules Of Bankruptcy Procedure (Docket No. 3117)*

*Reply Filed: None.*

*Related Filing: None.*

*Status:* *The hearing with respect to this matter will be proceeding.*

15. **"Joint Interest Agreement Motion"** – Motion For Approval Of Joint Interest Agreement Between Debtors And Official Committee Of Unsecured Creditors, Implementation Of Protective Order, And Approval Of Procedures To Protect Information In Fee Statements (Docket No. 3000)

*Response Filed:* *Limited Response Of General Motors Corporation To Debtors' Motion For Approval Of Joint Interest Agreement Between Debtors And Official Committee Of Unsecured Creditors, Implementation Of Protective Order, And Approval Of Procedures To Protect Information In Fee Statements (Docket No. 3096)*

*Reply Filed:* *None.*

*Related Filing:* *None.*

*Status:* *The hearing with respect to this matter will be proceeding.*

**E. Adversary Proceedings (Adv. Pro. No. 06-01121)**

16. **"Bank of America Summons"** – Summons And Notice Of Pretrial Conference In An Adversary Proceeding (Docket No. 4)

*Response Filed:* None.

*Reply Filed:* None.

*Related Filings:* None.

*Status:* This matter is being adjourned to the May 12, 2006 omnibus hearing.

Dated: New York, New York  
April 6, 2006

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